

FEDERAL COMMUNICATIONS COMMISSION

CLASS OF STATION TV

MES

The following application is submitted for action by the Chief Broadcast Bureau

Arent, Fox, Kintner, Plotkin & Kahn

Washington Square 1050 Connecticut Avenue, N.W.
Washington, D.C. 20036-5339

ORIGINAL
RECEIVED

SEP 11 1989

Theodore D. Frank
(202) 857-6016

September 11, 1989

Federal Communications Commission
Office of the Secretary

Ms. Donna R. Searcy
Secretary
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

Re: BPET-881012KE

KE

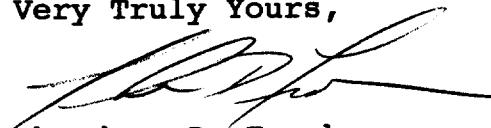
Dear Ms. Searcy:

On behalf of Community Television of Southern California ("CTSC"), I am re-submitting in triplicate its application for a new noncommercial educational television station to operate on Channel *39 in Bakersfield, California. On August 2nd, the Mass Media Bureau denied CTSC's request for a waiver of the freeze adopted in the Commission's Advanced Television Systems Freeze Order on the filing of applications for new television stations in selected markets. Simultaneously, with the submission of this application, CTSC is filing under separate cover a Petition for Reconsideration of that action.

Since this application involved a noncommercial educational television applicant, no filing fee is required in connection with this filing.

If there are any questions concerning this matter, please let me know.

Very Truly Yours,



Theodore D. Frank
Counsel for Community
Television of
Southern California

Enclosures

me

ORIGINAL

APPLICATION FOR CONSTRUCTION PERMIT FOR
NONCOMMERCIAL EDUCATIONAL BROADCAST STATION
(Carefully read instructions before filling out Form—RETURN ONLY FORM TO FCC)

For Commission Use Only

File No.

RECEIVED

OCT 12 1988

Section I

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General Information

1. Name of Applicant

SEP 11 1989

Community Television of
Southern California
Federal Communications Commission
Office of the Secretary

Street Address
Federal Communications Commission
Office of the Secretary

4401 SUNSET BOULEVARD

City State ZIP Code Telephone No.
(Include Area Code)
LOS ANGELES CA 90027 (213) 666-6500
Send notices and communications to the following named person at the address below:

Name

Street Address

Glenn C. Schroeder, Esquire

4401 SUNSET BOULEVARD

City State ZIP Code Telephone No.
(Include Area Code)
LOS ANGELES CA 90027 (213) 666-6500
2. This application is for: ☐ AM ☐ FM ☒ TV

(a) Channel No. or Frequency: 39

(b) Community of license:

City

State

BAKERSFIELD CA

(c) Check one of the following boxes:

- ☒ Application for new station
☐ Major Change in Existing station; call sign: _____
☐ Minor Change in Existing station; call sign: _____
☐ Modification of Construction Permit; File No. of CP: _____
☐ Amendment to Pending Application; Reference Number (ARN): _____

NOTE: It is not necessary to use this form to amend a previously filed application. Should you do so, however, please submit only Section I and those other portions of the form that contain the amended information.

3. Is this application mutually exclusive with a renewal application?

☐ YES ☒ NO

If Yes, State:

Call letters:

Community of license:

City

State

_____-____

Section II

Legal Qualifications

Name of Applicant

COMMUNITY TELEVISION OF SOUTHERN CALIFORNIA

1. (a) Applicant is: (Check one box below)

- ☐ a general partnership operating on a nonprofit basis ☒ a nonprofit corporation
- ☐ a limited partnership operating on a nonprofit basis ☐ Other (specify)
- ☐ a governmental or public educational agency or institution

If the applicant is an unincorporated association or a legal entity other than a partnership, nonprofit corporation, or a governmental or public educational agency or institution, describe in Exhibit No. ____ the nature of the applicant.

- (b) Is there any provision contained in any by-laws, articles of incorporation, partnership agreement, charter, statute or any other document which would restrict the applicant in advancing an educational program or complying with any Commission rule, policy or provision of the Communications Act of 1934, as amended. ☐ YES ☒ NO

If Yes, provide particulars as Exhibit No. ____

- (c) Does the applicant certify that copies of all pertinent documents set out in (b) are in the public inspection file? ☐ YES ☐ NO
- N/A

Describe in Exhibit No. A how the proposed station will be used for the advancement of an educational program. This does apply if applicant is applying for change in facilities.

Citizenship And Other Statutory Requirements

2. (a) Is the applicant in compliance with the provisions of Section 310 of the Communications Act of 1934, as amended, relating to interests of aliens and Foreign governments? ☒ YES ☐ NO

- (b) Will any funds, credits, etc., for the construction, purchase or operation of the station be provided by aliens, foreign entities, domestic entities controlled by aliens, or their agents? ☐ YES ☒ NO

If yes, provide particulars as Exhibit No. ____

Applicants are reminded that questions 4 through 5 of this Section must be completed as to all "parties to this application" as that term is defined in the instructions to Section II of this form.

Table I Parties To Application

4. Complete Table I with respect to all parties to this application.

(Note: If the applicant considers that to furnish complete information would pose an unreasonable burden, it may request that the Commission waive the strict terms of this requirement with appropriate justification)

INSTRUCTIONS: If applicant is partnership, fill out columns (a), (b), and (d), stating as to each general or limited partner (including silent partners): (a) name and residence, (b) nature of partnership interest (i.e., general or limited), and (d) percent of ownership interest. If applicant is a corporation or an unincorporated association with 50 or fewer stockholders, stock subscribers, holders of membership certificate or other ownership interest, fill out all columns, giving the information requested as to all officers, directors and members of governing board. In addition, give the information as to all persons or entities who are the beneficial or record owners of or have the right to vote capital stock, membership or ownership interests or are subscribers to such interests. If the applicant has more than 50 stockholders, stock subscribers or holders of membership certificates or other ownership interests, furnish the information as to officers, directors, members of governing board, and all persons or entities who are the beneficial or record owners of or have the right to vote 1% or more of the capital stock, membership or ownership interest. If applicant is governmental or public educational agency or institution, fill out columns (a) and (c) as to all members of the governing board and chief executive.

Name and Residence Address(es) (a)	Nature of Partnership Interest or Office Held (b)	Director or Member of Governing Board		% of: Ownership (O) or Partnership (P) or Voting Stock (VS) or Membership (M) (d)
		YES	NO	
		(c)		
SEE EXHIBIT B				NOT APPLICABLE

5. Has the applicant or any party to this application had any interest in:

(a) a broadcast application which has been dismissed with prejudice by the Commission?

☐ YES ☒ NO

(b) a broadcast application which has been denied by the Commission?

☐ YES ☒ NO

(c) a broadcast station, the license of which has been revoked?

☐ YES ☒ NO

(d) a broadcast application in any Commission proceeding which left unresolved character issues against that applicant?

☐ YES ☒ NO

(e) If the answer to any of the questions above is Yes, attach Exhibit No. _____, stating the following information:

- (1) Name of party having such interest;
- (2) Nature of interest or connection, giving dates;
- (3) Call letters of stations or file number of application, or docket number;
- (4) Location.

Ownership and Control

6. Are there any documents, instruments, contracts, or understandings relating to ownership or future ownership rights (including, but not limited to, non-voting stock interests, beneficial stock ownership interest) or control?

☐ YES ☒ NO

If Yes, provide particulars as Exhibit No. _____.

7. Do documents, instruments, agreements or understandings for the pledge of stock of a corporate applicant, as security for loans or contractual performance, provide that (a) voting rights will remain with the applicant, even in the event of default on the obligation; (b) in the event of default, there will be either a private or public sale of the stock; and (c) prior to the exercise of stockholder rights by the purchaser at such sale, the prior consent of the Commission [pursuant to 47 U.S.C. 310(d)] will be obtained?

N/A

☐ YES ☐ NO

If No, attach as Exhibit No. _____, a full explanation.

Section III**Financial Qualifications**

Note: If this application is for a change in an operating facility, **DO NOT** fill out this section.

1. Is this application contingent upon receipt of a grant from the National Telecommunications and Information Administration? ☐ YES ☒ NO
2. Is this application contingent upon receipt of a grant from a charitable organization, the approval of the budget of a school or university, or an appropriation from a state, county, municipality or other political subdivision? ☐ YES ☒ NO

NOTE: If either 1 or 2 is answered "Yes", your application cannot be granted until all of the necessary funds are committed or appropriated. In the case of grants from the National Telecommunications and Information Administration no further action on your part is required. If you rely on funds from a source specified in Question 2, *you must advise the F.C.C. when the funds are committed or appropriated*. This should be accomplished by letter amendment to your application, in triplicate, signed in the same manner as the original application, and clearly identifying the application to be amended.

3. Except as indicated in Questions Numbered 1 and 2 above, the applicant certifies that:

Not Applicable

- (a) It has a reasonable assurance of present commitments from each donor, from each party agreeing to furnish capital, from each bank, financial institution or others agreeing to lend funds, and from each equipment supplier agreeing to extend credit: ☐ YES ☐ NO
- (b) It can and will meet all contractual requirements as to collateral, guarantees, and capital investments or donations: ☐ YES ☐ NO
- (c) It has determined that a reasonable assurance exists that all such sources (excluding banks, financial institutions, and equipment manufacturers) have sufficient net liquid assets to meet these commitments. ☐ YES ☐ NO
4. The applicant certifies, except as noted above, that sufficient net liquid assets are on hand or available from committed sources to construct and operate the requested facilities for three months without additional funds. ☒ YES ☐ NO

Section IV**Program Service Statement**

For AM, FM and TV Applications

Attach as Exhibit No. _____, the applicant's purpose and objective in establishing the proposed station and a statement of proposed program policies. If applicant already has such information on file, indicate file number and detail changes, if any.

EXHIBIT C

Name of Applicant Community Television of Southern California

1. Purpose of authorization applied for:

☒ Construct a new station☐ Install Auxiliary System

Change:

☐ Effective radiated power☐ Frequency☐ Antenna Height above average terrain☐ Transmitter location☐ Studio location outside community of license☐ Other (summarize briefly the nature of the changes proposed)

2. Community of license:

State

California

City or Town

Bakersfield

3. Facilities requested:

Channel No.

39

Zone

II

Maximum effective radiated power

Visual
310 kW.

4. Geographical Coordinates of antenna (to nearest second)

North Latitude 35° 26' 17"West Longitude 118° 44' 23"

5. Height of antenna radiation center:

above average terrain (HAAT)

406 m

above mean sea level

1121 m

above ground

47 m6. Overall height of complete antenna structure above ground (with obstruction lighting) 52 m

7. Antenna:

Manufacturer

Model No.

Electrical beam tilt

☒

DA

☐

Non-DA

BognerB16UCM1.5

degrees

Azimuth of major lobe(s)

260 degrees true

Mechanical beam title

none degrees

8. Transmitter location:

State

California

County

Kern

City or Town

Rural

Street Address or Other Identification

Mt. Adelaide

9. (a) If directional antenna is proposed, give full details including horizontal and vertical plane radiation patterns as Exhibit No. * pursuant to Section 73.685 of the Commission's Rules.
- (b) If electrical or mechanical beam tilting is proposed, describe fully in Exhibit No. * pertinent vertical and horizontal radiation patterns.
10. Attach as Exhibit No. * map(s) (*Sectional Aeronautical charts or equivalent*) of the area proposed to be served and show thereon:
- (a) Proposed transmitter location and the radials along which the profile graphs have been prepared;
- (b) The City Grade, Grade A and Grade B contours predicted;
- (c) On the map(s) showing the City Grade contour, clearly indicate the legal boundaries of the principal community proposed to be served;
- (d) Scale of miles;
- (e) Area (sq. mi.) and population (latest census) within Grade B contour.
11. Will the proposed City Grade contour completely encompass the principal community, without major terrain obstruction? ☒ Yes ☐ No
- If no, attach as Exhibit No. justifications.
12. If the main studio will not be within the boundaries of the principal community to be served, attach as Exhibit No. * a justification pursuant to Section 73.1125 of the Commission's Rules.
13. Attach as Exhibit No. * map(s) (7.5 minute U.S. Geographic Survey topographic quadrangles [*if available*]) of the proposed antenna location showing the following information:
- (a) Proposed transmitter location accurately plotted with the latitude and longitude lines clearly marked and showing a scale of statute miles.
- (b) Transmitter location and call letters of all AM broadcast stations within 2 miles of the proposed antenna location.
14. If there are any FM or TV stations within 200 feet of the proposed antenna or non-broadcast radio stations (except amateur and citizens band), established commercial and government receiving stations in the general vicinity which may be adversely affected by the proposed operation, attach as Exhibit No. * the expected effect, a description of remedial steps that may be pursued if necessary, and a statement from the applicant accepting full responsibility for the elimination of any objectionable effect on existing stations.

*See attached Engineering Exhibit

15. Tabulation of Terrain Data. (Calculated in accordance with the procedure prescribed in Section 73.684 of the Commission's Rules, utilizing 7.5 minute topographic maps if available).

Radial bearing (degrees true)	Height of antenna radiation center above average elevation of radial (2-10 mi.) m	Predicted Distance		
		To the City Grade Contour km	To the Grade A Contour km	To the Grade B Contour km
0°	277	15.6	21.9	35.3
45°	63	8.2	11.7	20.4
90°	-342	6.0	8.5	15.1
135°	277	16.6	23.3	36.8
180°	670	26.8	35.9	52.7
225°	801	47.3	57.6	77.5
270°	883	52.6	63.5	85.0
315°	619	34.0	43.7	60.8
(*) 260	883	53.2	64.2	85.9

*Radial over principal community, if not included above. DO NOT include in average.

16. Environmental Statement, See Part I, Subpart 1 of the Commission's Rules.

Would a Commission grant of this application be a major action as defined by Section 1.1305 of the Commission's Rules?

☐ YES ☒ NO

If Yes, attach as Exhibit No. ____ a narrative statement in accordance with Section 1.1311 of the Commission's Rules.

If No, explain briefly.

See attached Engineering Exhibit

I certify that I represent the applicant in the capacity indicated below and that I have examined the foregoing statement of technical information and that it is true to the best of my knowledge and belief.

HAMMETT & EDISON, INC.
Consulting Engineers
Robert L. Hammett, P.E.

Name

Signature (Check appropriate box below)

Box 280068

Address (Include ZIP Code)

San Francisco, California 94128-0068

August 29, 1988

(415) 342-5200

Telephone No. (include Area Code)

☐ Technical Director

☒ Registered Professional Engineer

☐ Chief Operator

☐ Technical Consultant

☐ Other (specify)

Name of Applicant

Call Sign

Station Location

Community Television of Southern California New

Bakersfield, California

Purpose of Application (Put "X" in appropriate box)

- ☒ New antenna construction
☐ Alteration of existing antenna structure
☐ Change in location

Facilities Requested

Television Channel 39, 620-626 MHz
 Effective radiated power 310 kilowatts
 Antenna height 406 m above average terrain

1. Location of Antenna:

State

California

County

Kern

City or Town

Rural

Exact antenna location (*street address*). If outside city limits, give name of nearest town and distance and direction of antenna from town.

Mt. Adelaide antenna farm

Geographical coordinates (*to nearest second*). For directional antenna give coordinates of center of array. For single vertical radiator give tower location.

North Latitude 35 ° 26 ' 17 " West Longitude 118 ° 44 ' 23 "

2. Is the proposed site the same transmitter-antenna site of other stations authorized by the Commission or specified in another application pending before the Commission?

☒ YES ☐ NO

If Yes, give call sign:

KGET(TV), KDOB-TV

3. Has the FAA been notified of proposed construction?

☐ YES ☒ NO

If Yes, give date and office where notice was filed.

4. List all landing areas within 5 miles of antenna site. Give distance and direction to the nearest boundary of each landing area from the antenna site.

Landing Area

Distance

Direction

(a) None _____
 (b) _____
 (c) _____

5. Attach as Exhibit No. * a description of the antenna system, including whether tower(s) are self-supporting or guyed. If a directional antenna, give spacing and orientation of towers.

Tower		#1	#2	#3	#4	#5	#6
Overall height above ground (include obstruction lighting)	meters	52					
	feet	170					
Overall height above mean sea level (include obstruction lighting)	meters	1126					
	feet	3694					

*See attached Engineering Exhibit

6. Attach as Exhibit No. ____* a vertical plan sketch for the proposed total structure (including supporting building, if any) giving heights above ground in feet and meters for all significant features. Clearly indicate existing portions, noting lighting, and distinguish between the skeletal or other main supporting structure and the antenna elements.

I certify that I represent the applicant in the capacity indicated below and that I have examined the foregoing statement of technical information and that it is true to the best of my knowledge and belief.

HAMMETT & EDISON, INC.

Consulting Engineers

Robert L. Hammett, P.E.

Name

Signature (Check appropriate box below)

Box 280068

Section VI

Equal Employment Opportunity Program

1. Does the applicant propose to employ five or more fulltime employees?

☒ YES ☐ NO

If the answer is Yes, the applicant must include an EEO program called for in the separate 5 Point Model EEO Program [FCC Form 396 (A)].

Section VII

Certification

1. Has or will the applicant comply with the public notice requirement of Section 73.3580 of the Commission's Rules?

☒ YES ☐ NO

The APPLICANT hereby waives any claim to the use of any particular frequency as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and requests an authorization in accordance with this application. (See Section 304 of the Communications Act of 1934, as amended.)

The APPLICANT acknowledges that all the statements made in this application and attached exhibits are considered material representations, and that all exhibits are a material part hereof and are incorporated herein.

The APPLICANT represents that this application is not filed for the purpose of impeding, obstructing, or delaying determination on any other application with which it may be in conflict.

In accordance with Section 1.65 of the Commission's Rules, the APPLICANT has a continuing obligation to advise the Commission, through amendments, of any substantial and significant changes in information furnished.

**WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND IMPRISONMENT.
U.S. CODE, TITLE 18, Section 1001.**

I certify that the statements in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith.

Signed and dated this 10th day of October, 19 88.

Community Television of Southern
California Name of Applicant

[Signature]
Signature

Vice-President / General Counsel
Title

**FCC NOTICE TO INDIVIDUALS REQUIRED BY THE PRIVACY ACT
AND THE PAPERWORK REDUCTION ACT**

The solicitation of personal information requested in this application is authorized by the Communications Act of 1934, as amended. The principal purpose for which the information will be used is to determine if the benefit requested is consistent with the public interest. The staff, consisting variously of attorneys, accountants, engineers, and application examiners, will use the information to determine whether the application should be granted, denied, dismissed, or designated for hearing. If all the information requested is not provided, the application may be returned without action having been taken upon it or its processing may be delayed while a request is made to provide the missing information. Accordingly, every effort should be made to provide all necessary information. Your response is required to obtain the requested Permit.

THE FOREGOING NOTICE IS REQUIRED BY THE PRIVACY ACT OF 1974, P.L. 93-579, DECEMBER 31, 1974, 5 U.S.C. 552a(e)(3), AND THE PAPERWORK REDUCTION ACT OF 1980, P.L. 96-511, DECEMBER 11, 1980, 44 U.S.C. 3507.

Applicant: Community Television of Southern California
Call Letters: KCET

Exhibit B

All officers and members ("directors") of the Board of Directors are citizens of the United States and, except as herein noted to the contrary, were elected by the Board of Directors:

<u>Name and Residence</u>	<u>Office Held</u>	<u>Principal Profession or Occupation</u>
Sheldon I. Ausman 17438 Sumiya Drive Encino, CA 91316	Chairman of the Board and Director	Managing Partner, Arthur Anderson & Co.
E. Eric Johnson 1710 Alta Mira Road Pacific Palisades, CA 90272	Vice Chairman and Director	Civic Leader
William H. Robin 2216 Westridge Road Los Angeles, CA 90049	President, Chief Executive Officer and Director	President, Chief Executive Officer, KCET - Channel 28
Keith Larson 3231 Magnolia Boulevard, West Seattle, WA 98199	Treasurer and Director	Civic Leader
Sally S. Stewart 10045 Valley Spring Lane Toluca Lake, CA 91602	Vice Chairman and Director	Civic Leader
Leonard H. Straus 938 No. Alpine Drive Beverly Hills, CA 90210	Vice Chairman and Director	Chairman, Thrifty Corporation

James R. Ukropina
900 Rosalind Road
San Marino, CA 91108

Robert E. Wycoff
1050 Glenoaks Blvd.
Pasadena, CA 91105

J. Patrick Whaley
421 So. Van Ness Avenue, Unit 34
Los Angeles, CA 90020

Tim Conroy
3883 Karen Lynn
Glendale, CA 91206

David L. Crippens
4701 Maytime Lane
Culver City, CA 92030

Gary Ferrell
2507 W. Glenoaks Blvd.
Glendale, CA 91206

Phyllis Geller
3711 Fredonia
Los Angeles, CA 90068

Stephen Kulczycki
12741 Bloomfield
Studio City, CA 91604

Edward Moreno
13621 Lasalette St.
La Puente, CA 91487

Nancy L. Rishagen
8216 Zitola Terrace
Playa del Rey, CA 90291

Vice Chairman and Director

Vice Chairman and Director

Secretary and Director

Vice President, Marketing

Vice President, Educational
Enterprises

Vice President, Finance
and Chief Financial Officer

Vice President, National
Productions

Vice President, Programming

Vice President

Vice President, Human Resources
and Facilities Services

President, Pacific Lighting Corp.

President & Chief Operating Officer
Atlantic Richfield Co.

Partner, Musick, Peeler & Garrett

Vice President, Marketing
KCET-Channel 28

Vice President, Educational
Enterprises, KCET-Channel 28

Vice President, Finance and
Chief Financial Officer
KCET-Channel 28

Vice President, National Productions,
KCET-Channel 28

Vice President, Programming,
KCET-Channel 28

Vice President,
KCET-Channel 28

Vice President, Human Resources
and Facilities Services
KCET-Channel 28

William Landers
2 Candlewood Drive
Princeton Junction, NJ 08550

Glenn C. Schroeder
2059 Balmer Drive
Los Angeles, CA 90039

Donald G. Youpa
8306 La Bajada
Whittier, CA 90605

Berle Adams
4555 Strohm Avenue
North Hollywood, CA 91602

Dr. David Alexander
345 North College Way
Claremont, CA 91711

David E. Anderson
17960 Seabreeze Drive
Pacific Palisades, CA 90272

Wallis Annenberg
1026 Ridgedale Drive
Beverly Hills, CA 90210

Gilda Bojorquez-Gjurich
926 North Los Flores
Montebello, CA 90740

Louis Blau

Vice President, Engineering
and Operations

Vice President and General
Counsel

Executive Vice President

Director

Director

Director

Director

Director

Director

Vice President, Engineering
and Operations,
KCET-Channel 28

Vice President and General Counsel,
KCET-Channel 28

Executive Vice President
KCET-Channel 28

President, The Berle Adams Co., Inc.

President, Pomona College

President, General Telephone of
California

Civic Leader

Partner - P.G.

Partner. Loeb and Loeb

Arthur L. Crowe, Jr.
2240 Orlando Road
San Marino, CA 91108

Director

Civic Leader

Grace Montanez Davis
1609 N. Avenue 55
Los Angeles, CA 90042

Director

Deputy Mayor, City of Los Angeles

Jane B. Eisner
283 Bel Air Road
Los Angeles, CA 90024

Director

Civic Leader

Shirley Baskin Familian
906 Loma Vista Drive
Beverly Hills, CA 90210

Director

Civic Leader

Peggy Funkhouser
2346 Mandeville Canyon Road
Los Angeles, CA 90049

Director

Civic Leader

John F. Hotchkis
900 San Rafael
Pasadena, CA 91105

Director

General Partner, Hotchkis & Wiley

Philippa Houston
5111 Holt Avenue
Los Angeles, CA 90056

Director

Civic Leader

Judith G. Jones
1048 Amalfi Drive
Pacific Palisades, CA 90272

Director

Civic Leader

John F. King
1470 Circle Drive
San Marino, CA 91108

Director

Chairman of the Board,
World Trade Bank

Howard W. Koch
704 North Crescent
Beverly Hills, CA 90210

Director

President, Aries Productions

Russell I. Kully
1925 Lombardy Road
San Marino, CA 91108

Director

Partner, Quinn, Kully and Morrow

Nancy Olson Livingston
945 No. Alpine Drive
Beverly Hills, CA 90210

Director

Civic Leader

John W. Mack
3450 Mt. Vernon Drive
Los Angeles, CA 90008

Director

President, Los Angeles Urban League

William G. McGagh
2189 Century Hill
Los Angeles, CA 90067

Director

Sr. Vice President, Finance
Northrop Corporation

Mr. Gerald D. McGee
9022 Hopen Place
Los Angeles, CA 90069

Director

Sr. Vice President/Managing Director
Ogilvy & Mather

Beverly Henigson Mitchell
630 Mountain Drive
Beverly Hills, CA 90210

Director

Civic Leader

Robert F. Niven
520 Arroyo Square
South Pasadena, CA 91030

Director

Civic Leader

Brock Peters

Director

President & Chairman, MegaLink, Inc.

Lloyd E. Rigler
7301 Mulholland Drive
Los Angeles, CA 90046

Director

President, Ledler Corporation

William R. Robertson
1623 North Sierra Bonita
Los Angeles, CA 90046

Director

Executive Secretary/Treasurer
L.A. County Federation of
Labor AFL/CIO

Dr. Judy B. Rosener
125 Via Venezia
Newport Beach, CA 92663

Director

Assistant Dean, Graduate School of
Management, University of California
at Irvine

Dr. James M. Rosser
1409 Montezuma Way
West Covina, CA 91791

Director

President, California State University,
Los Angeles

Kyhl S. Smeby
1720 Homet Road
Pasadena, CA 91106

Director

Civic Leader

George A. Smith
630 Frontera Drive
Pacific Palisades, CA 90272

Chairman, Corporate
Partnership Program *

Vice President & General Tax Counsel,
MCA Inc.

Robert H. Smith
1617 Farmount Avenue
La Canada, CA 91011

Director

President & Chief Executive Officer,
Security Pacific National Bank

Linda Smith-Gaston
1620 Corning Street
Los Angeles, CA 90035

Chair, Community
Advisory Board *

Consumer Affairs Representative,
Southern California Gas Co.

Mrs. William French Smith
1256 Oak Grove Avenue
San Marino, CA 91108

Director

Civic Leader

Dennis Stanfill
908 Oak Grove Avenue
San Marino, CA 91108

Director

President, Stanfill, Bowen & Co.

Robert H. Takeuchi
3069 Doyne Road
Pasadena, CA 91107

Director

Partner, Kindel & Anderson

Andrea L. Van de Kamp
c/o The Independent Colleges
of Southern California

Director

President, The Independent Colleges of
Southern California

Exhibit C

Community Television of Southern California is filing this application in order to improve its service to the residents of the Bakersfield area. At present, there is no local public television station serving this growing urban area and the availability of the programming from Station KCET is dependent upon the station's carriage by cable systems. For several years Community Television of Southern California has been interested in improving the quality of its service to the Bakersfield area and to reduce its dependence on cable carriage to reach this important audience. Until recently, however, Community Television of Southern California has not had the financial resources to construct and operate an additional station. It now has those resources and accordingly is filing this application. Community Television of Southern California plans to operate the station as a 100% satellite, rebroadcasting the program of Station KCET, Los Angeles. Grant of the application will thus permit Community Television to improve the availability of its programming to the Bakersfield area and to provide public television programming to the Bakersfield area in a most effective and efficient manner.

Exhibit D

Request for Waiver of the
Advanced Television System

Community Television of Southern California ("CTSC") hereby requests a waiver of the freeze on the filing of new applications adopted by the Commission in its July 16, 1986 Order in the Advanced Television System proceeding. See Order, MM Docket No. 87-268, RM 5811 (Mimeo No. 4074) ("Freeze Order"). In that Order, the Commission imposed a freeze on amendments to the Television Table of Allotments and on the award of construction permits in areas located within the minimum co-channel separation distances from thirty of the largest television markets. The freeze was imposed because the high densities of existing television stations limited the spectrum available for advanced television service (ATV), and the Commission wanted to preserve its spectrum allocation options for ATV service. The Commission stated, however, that it would consider, on a case-by-case basis, whether to waive the freeze for applicants for noncommercial educational channels or others that provide compelling reasons why the freeze should not apply to that their particular situation or class of stations. See Freeze Order.

substantial portion of the Bakersfield television households do not have access to any public television programming. As of November 1987, A.C. Nielsen reported that cable penetration in the market was only 67%. And, not all the cable systems carry Station KCET. Rather, only six of the seven cable systems serving the DMA presently carry the Station. The one system not carrying Station KCET represents approximately 7% of the market's cable subscribers. Thus, approximately 60,000 television households in the Bakersfield DMA (the 33% without cable and the 7% of cable households without access to Station KCET) do not have access to any public television service.

For several years Bakersfield residents have asked CTSC to provide over-the-air public television service to their community. As noted in Exhibit C, CTSC has not been in the position financially to respond to this request until recently. However, it now has the resources to respond to those continuing requests, and desires to bring public television to one of the last of the top 150 markets unserved by over-the-air educational television. Construction of this station will also further Congressional and Commission policies to extend public television service to as much of the public as possible.^{1/}

CTSC believes that the provision of this first public television service to these 60,000 TV households would alone justify the waiver of the ATV freeze. However, with the invalidation of "must carry" requirements, all 160,000 households in the Bakersfield DMA are subject to losing their only public television service if the six cable systems presently carrying Station KCET were to drop it. (Station KCET has already been dropped by a number of cable systems outside of Bakersfield within the last year.) Consequently, grant of ~~the waiver will assure that the Bakersfield area enjoys the~~

not preclude its possible future use at Los Angeles because that channel is not usable in Los Angeles in any event. This is because Channel 39 is presently occupied by Station KCST-TV in San Diego at a distance that would result in interference to both of the stations if Channel 39 were used for ATV purposes in Los Angeles. See Engineering Statement at 3.

Moreover, even if the Commission were to reduce the co-channel spacing requirements in an ATV environment, no preclusion as to the use of Channel 39 will result. The terrain between the Bakersfield site proposed herein and the Los Angeles Basin is mountainous and essentially unpopulated; the Tehachapi mountain range, 6,000-8,000 feet in elevation, would block propagation of television signals between the two cities. Thus, grant of this application would not have a preclusive effect on use of Channel 39 at Los Angeles. See Engineering Statement at 3-4.

For the foregoing reasons, CTSC respectfully requests that the Commission waive the interim freeze on television allotments and assignments and allow CTSC to bring public television service to all of the people of Bakersfield.

COMMUNITY TELEVISION OF SOUTHERN CALIFORNIA

**ENGINEERING EXHIBIT IN SUPPORT OF
APPLICATION FOR CONSTRUCTION PERMIT
NEW NONCOMMERCIAL EDUCATIONAL
TELEVISION STATION, CHANNEL 39
BAKERSFIELD, CALIFORNIA**

August 29, 1988

**Hammett & Edison, Inc.
Consulting Engineers
San Francisco**